

DEVONPORT CITY COUNCIL
TASMANIAN PLANNING SCHEME - DEVONPORT

**Certification of draft amendment to the Devonport Local Provisions Schedule
AM2022.02 (s.40F Land Use Planning and Approvals Act 1993) & determination of
concurrent permit application (s.40Y Land Use Planning and Approvals Act 1993).**

1. The Devonport Local Provisions Schedule (forming part of the Tasmanian Planning Scheme) is proposed to be amended as follows:
2. Remove the Devonport Homemaker Service Industrial Centre Specific Area Plan from CT167737/18 and delete from the Devonport Local Provisions Schedule;
3. Apply the Devonport Regional Homemaker Centre Specific Area Plan to CT167737/18;
4. Set aside request for rezoning CT167737/15, CT173536/16 and CT173536/17 for a Particular Purpose zone;
5. Amend the Devonport Regional Homemaker Centre Specific Area Plan as per Section 40F (2) (b) of LUPAA, as set out in **Attachment 1**.

Approval is also granted for permit application PA2022.0092 that accompanies the draft amendment and seeks approval for General Retail and Hire (Supermarket and other retail), Food Services, Business and Professional Services, Bulky Goods Sales, Service Industry and Signage.



DEV-S1.0 Devonport Regional Homemaker Centre & Stony Rise Village Specific Area Plan



DEV-S1.3.2 Stony Rise Village Precinct A

DEV-S1.3.3 Stony Rise Village Precinct B

The Devonport City Council resolved at its ordinary meeting of the 24 October 2022 that the abovementioned draft amendment meets the local provisions schedule criteria set out under s.34(2) of the *Land Use Planning and Approvals Act 1993*.

The Common Seal of the
Devonport City Council is
affixed, pursuant to
Council's Resolution No. 22/227
of 24 October 2022



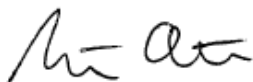
A handwritten signature in black ink, appearing to read "Matthew Atkins".

Matthew Atkins
GENERAL MANAGER

Attachment 1

DEV-S1 Devonport Regional Homemaker Centre and Stony Rise Village
Specific Area Plan

The Common Seal of the
Devonport City Council is
affixed, pursuant to
Council's Resolution No. 22/227
of 24 October 2022



Matthew Atkins
GENERAL MANAGER



DEV-S1.0 Devonport Regional Homemaker Centre and Stony Rise Village Specific Area Plan

DEV-S1.1 Plan Purpose

The purpose of the Devonport Regional Homemaker Centre and Stony Rise Village Specific Area Plan is:

DEV-S1.1.1	To manage the use or development of the Devonport Regional Homemaker Centre and Stony Rise Village site.
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DEV-S1.2 Application of this Plan

DEV-S1.2.2	The specific area plan applies to the area of land designated as Devonport Regional Homemaker Centre and Stony Rise Village Specific Area Plan on the overlay maps.
DEV-S1.1.1	In the area of land this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of: (a) Commercial Zone; (b) Signs Code; and (c) Parking and Sustainable Transport Code, as specified in the relevant provision.

DEV-S1.3 Local Area Objectives

Reference Number	Area Description	Local Area Objectives
DEV-S1.3.1	Devonport Regional Homemaker Centre and Stony Rise Village, shown on an overlay map as DEV-S1.3.1. (as amended)	<p>The local area objectives for the Devonport Regional Homemaker Centre and Stony Rise Village are:</p> <p>To provide use and development for integrated bulky goods showrooms, large format retail and trade supplies, including associated food services, car parking, signage and landscaping;</p> <p>To provide a neighbourhood centre that offers a limited range of retail, business and food service uses for the convenience needs of the local area; and</p> <p>To provide for other uses and development that supports and does not compromise or distort the role of established activity centres.</p>
DEV-S1.3.2	Stony Rise Village Precinct A, shown on an overlay map as DEV-S1.3.2	<p>To provide for a major supermarket as the primary activity generator;</p> <p>To provide a limited range of retail, business and food service uses that</p>

		<p>support the convenience needs of the local area; and</p> <p>To provide for other use and development that supports and does not compromise or distort the role of established activity centres.</p>
DEV-S1.3.3	Stony Rise Village Precinct B, shown on an overlay map as DEV-S1.3.2	<p>To provide for use and development for integrated bulky goods showrooms, large format retail and trade supplies; and</p> <p>To provide for use and development that compliments the function of Stony Rise Village Precinct A as a neighbourhood centre and does not unreasonably compromise or distort the role of established activity centres.</p>

DEV-S1.4 Definition of Terms

Neighbourhood centre	Means a localised activity centre that provides for a limited range of use and development to service the convenience needs for the local area. A major supermarket serves as the primary activity generator and is supported by a limited range of complimentary uses.
Stony Rise Village Precinct A	Means the area of land identified on an overlay map as DEV-S1.3.2
Stony Rise Village Precinct B	Means the area of land identified on an overlay map as DEV-S1.3.3

DEV-S1.5 Use Table

This clause is in substitution of the Commercial Zone – clause 17.2 Use Table.

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or any outdoor area for information, interpretation, or display of items or for any other use.
Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Bulky Goods Sales	<p>If not within Stony Rise Village Precinct A or B and for the retail sale of:</p> <p>(a) furniture and floor coverings;</p> <p>(b) electrical appliances, including white goods and computer equipment;</p>

	<p>(c) home entertainment equipment;</p> <p>(d) manchester, curtains and blinds;</p> <p>(e) camping and outdoor recreation equipment;</p> <p>(f) office supplies;</p> <p>(g) building, construction and hardware goods;</p> <p>(h) garden and landscape material;</p> <p>(i) auto accessories;</p> <p>(j) pet supplies and ancillary services; or</p> <p>(k) any combination of the goods in (a) to (j), provided that the sale or hire of clothing or footwear is not a predominant activity.</p> <p>If within Stony Rise Village Precinct A and provided that the sale of:</p> <p>(a) auto accessories;</p> <p>(b) building, construction and hardware goods;</p> <p>(c) rural supplies;</p> <p>(d) garden and landscape material; or;</p> <p>(e) motor vehicle, boat or caravan sales is not a predominant activity.</p> <p>If within Stony Rise Village Precinct B and provided that the sale of:</p> <p>(a) rural supplies;</p> <p>(b) timber and steel; or;</p> <p>(c) garden and landscape material;</p> <p>is not a predominant activity.</p>
Business and Professional Services	If within Stony Rise Village Precinct A or B and for a consulting room, medical centre, veterinary centre, child health clinic or dentist.
Education and occasional care	If within Stony Rise Village Precinct A or B and for a childcare centre.
Food Services	If the total number of Food Services on land subject to the Devonport Regional Homemaker Centre and Stony Rise Village Specific Area Plan is:

	<p>(a) not more than 5 drive through facility food services; and</p> <p>(b) not more than a total of 12 food services.</p> <p>If within Stony Rise Village a drive through facility is limited to one premises each for Precinct A and Precinct B.</p>
General Retail and Hire	<p>If within Stony Rise Village Precinct A and provided the sale or hire of:</p> <p>(a) clothing or footwear (other than personal protective equipment);</p> <p>(b) jewellery; or</p> <p>(c) adult sex products</p> <p>is not a predominant activity.</p> <p>If within Stony Rise Village Precinct B and not for a supermarket, pharmacy or bottle shop and provided the sale or hire of:</p> <p>(a) clothing or footwear (other than personal protective equipment);</p> <p>(b) jewellery; or</p> <p>(c) adult sex products</p> <p>is not a predominant activity.</p>
Service Industry	If for car wash, pet wash or laundromat.
Sport & Recreation	If for fitness centre or gymnasium and site is located at least 50m from General Residential zoned land.
Vehicle Fuel Sales and Service	If for a service station.
Discretionary	
Bulky Goods Sales	If not listed as Permitted.
General Retail and Hire	If for a tenancy (within a building) with a gross floor area of not less than 500m².
Storage	If not for a liquid fuel depot or a solid fuel depot.
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

DEV-S1.6 Use Standards

DEV-S1.6.1 Floor areas

This clause is in substitution for the Commercial Zone – clause 17.3.3 Retail impact.

Objective:	
The primacy of the Devonport Central Business District for General Retail and Hire is protected by providing a designated location for large format retail.	
Acceptable Solutions	Performance Criteria
A1	P1

<p>The gross floor area of a tenancy within a building must not be less than 500m² with the exception of:</p> <ul style="list-style-type: none"> (a) Food Services; (b) a use that relies on more than 50% of the site area for outdoor display of goods for sale; or (c) a use within Stony Rise Village Precinct A. 	<p>The proposed use and development must be consistent with the local area objectives being:</p> <ul style="list-style-type: none"> (a) for integrated bulky goods showrooms and trade supplies; (b) for a neighbourhood centre providing for food retailing and the convenience needs of the local area; or (c) compliments the function of a neighbourhood centre; and (d) does not unreasonably compromise or distort the role of established activity centres.
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DEV-S1.7 Development Standards for Buildings and Works

DEV-S1.7.1 Setbacks

This clause is in substitution for the Commercial Zone – clause 17.4.2 A1 Setbacks.

<p>Objective:</p> <p>Development of land is to minimise:</p> <ul style="list-style-type: none"> (a) likelihood for conflict, interference and constraint between the use or development of land in the Devonport Regional Homemaker Centre and Stony Rise Village Specific Area Plan and the use of land in an adjoining zone (b) unreasonable impact on the amenity of use on land beyond the boundaries of the Devonport Regional Homemaker Centre and Stony Rise Village Specific Area Plan. 	
<p>Acceptable Solutions</p> <p>A1</p> <p>Buildings and parking areas must:</p> <ul style="list-style-type: none"> (a) have a setback, or be separated a distance, of not less than 20m from the Bass Highway frontage; (b) have a setback, or be separated a distance, of not less than 6m from the Stony Rise Road frontage and allow for the Stony Rise Road carriageway to receive at least 5 hours of sunlight on the 21st of June; or (c) not less than 5.5m from any other road frontage. 	<p>Performance Criteria</p> <p>P1</p> <p>Buildings must have a setback from a frontage that provides suitable amenity for intended users and adequate space for landscaping, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the setback of buildings on adjacent properties; and (c) the safety of pedestrians and road users.

DEV-S1.7.2 Signs

This clause is in addition to the Signs Code – clause C1.6.1 Design and siting of signs.

Objective:	
That the need for signs is recognised and the impact, size and number is managed.	
Acceptable Solutions	Performance Criteria
A1 There must be not more than 3 signs located within the setback area from the Bass Highway frontage.	P1 No Performance Criterion.
A2 The height of a sign must be not more than 10m.	P2 No Performance Criterion.
A3 There must be not more than 2 signs located within the setback area from the Stony Rise Road frontage.	P3 No Performance Criterion.

DEV-S1.7.3 Access

This clause is in substitution for the Parking and Sustainable Transport Code – clause C2.6.3 Number of accesses for vehicles.

Objective:	
There is safe vehicular and pedestrian access to the site.	
Acceptable Solutions	Performance Criteria
A1 There must be not more than one vehicular entry to the site across the Bass Highway frontage and the vehicular access must comprise a single left hand turn from the west bound lane of the Bass Highway.	P1 No Performance Criterion.
A2 All vehicular access is to be via an existing vehicle crossing.	P2 Any new vehicular access must be necessary as evidenced by a Traffic Impact Assessment, prepared by a suitably qualified person and approved by the relevant Road Authority.

DEV-S1.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan – the underlying zone provisions apply.